



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

Promoting the wise use of land

MEETING DATE February 7, 2014 EFFECTIVE DATE February 21, 2014	CONTACT/PHONE Rob Fitzroy (805) 781-5179 rfitzroy@co.slo.ca.us	APPLICANT Bruce Ebelherr	FILE NO. COAL 13-0056 SUB2012-00051
SUBJECT A request by Bruce Ebelherr for a Lot Line Adjustment (COAL 13-0056) to adjust the lot line between two parcels of 108.5 acres and 135.5 acres each, resulting in two parcels 122 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 8350 Vineyard Drive, approximately 7.5 miles west of the community of Templeton. The site is in the Adelaida planning area. The project is exempt from CEQA (Class 5 Exemption)			
RECOMMENDED ACTION Approve Lot Line Adjustment SUB2012-00051 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on December 19, 2013 (ED 12-118).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION High Fire Hazard, Flood Hazard	ASSESSOR PARCEL NUMBER 014-101-049, 014-331-022, 014-331-018, 026-281-039	SUPERVISOR DISTRICT(S) : 1
PLANNING AREA STANDARDS: None applicable.			
LAND USE ORDINANCE STANDARDS: Section 21.02.030 - Real Property Division Ordinance, 22.22.040 – Subdivision Design Agriculture Category			
EXISTING USES: One single family residence, irrigated row crops.			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture, active production <i>South:</i> Agriculture, inactive</div><div><i>East:</i> Agriculture, grazing <i>West:</i> Agriculture, inactive</div></div>			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Agricultural Commissioner, Templeton Community Advisory Group, City of Paso Robles			
TOPOGRAPHY: Gently rolling to moderately sloping.		VEGETATION: Grasses, shrubs, oak trees.	
PROPOSED SERVICES: Water supply: Individual well Sewage Disposal: Individual septic system Fire Protection: Cal Fire		ACCEPTANCE DATE: November 8, 2013	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ Fax: (805) 781-1242			

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot line between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
Parcel 1 = 108.5	Parcel 1 = 122
Parcel 2 = 135.5	Parcel 2 = 122

Parcel 1 is currently contains a single family residence, irrigated row crops, scattered oak woodland and an unnamed stream. Parcel 2 is currently vacant and primarily contains pastureland intermixed with oak woodland, a small watering reservoir, and three unnamed streams. Parcel 2 contains three lots within one legal parcel.

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The proposed lot line adjustment would provide a situation equal to the existing situation. The adjustment would equalize the acreage of two existing legal parcels. The acreage of each property would not significantly change and the development potential of either parcel would not change. The adjustment would provide Parcel 2 frontage and access to Vineyard Drive. Currently, Parcel 2 is land locked and only Parcel 1 has frontage and access to Vineyard Drive.

Section 22.22.040 of the Land Use Ordinance states that the minimum parcel size for agriculture land uses is 40 acres for irrigated row crops and 40 acres for parcels with Class IV soils. The resultant parcels would be 122 acres, thus meet the minimum parcel size requirement.

The subject parcels are under a Williamson Act Agricultural Preserve and Land Conservation Contract. The proposed adjustment will not result in a net loss of land under contract, thus no violation of the contract would occur.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are greater than the required minimum parcel size as established by the ordinance, and will remain so after the adjustment; staff has concluded that the proposed adjustment is equal to the existing lot line situation and is also consistent with both state and local law.

AGENCY REVIEW:

Public Works – Comments provided, see attached referral.

Agricultural Commissioner – No comments.
City of Paso Robles – No comments.

LEGAL LOT STATUS:

The two existing parcels were legally created and were recorded by certificates of compliance C96-003/1 and C96-0003/2.

Staff report prepared by Rob Fitzroy and reviewed by Steve McMasters.